



SO ORDERED.

SIGNED this 29 day of October, 2015.

Stephani W. Humrickhouse

**Stephani W. Humrickhouse
United States Bankruptcy Judge**

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**ELIZABETH MITCHELL WADSWORTH, CASE NO. 12-08909-8-SWH
DEBTOR. CHAPTER 13**

CONSENT ORDER

This matter coming on before the Court upon the Trustee's Motion to Dismiss, and the Chapter 13 Trustee and the Debtor having reached an agreement which resolves the matters raised by the Motion; and the Court being of the opinion that the resolution agreed upon by the parties is reasonable and should be approved, the Court finds as follows:

1. The Debtor filed her Chapter 13 petition on December 18, 2012, and her Chapter 13 plan was confirmed on or about May 6, 2013.
2. On September 9, 2015, John F. Logan, the Chapter 13 Trustee, filed a Motion to Dismiss due to a failure of the Debtor to make plan payments.
3. The Plan is currently delinquent in the amount of \$2,420.00.
4. The Debtor shall resume regular plan payments in the amount of \$1,083.00 per month beginning on November 1, 2015. Additionally, the Debtor shall make cure payments in the amount of \$404.00 per month for six months beginning on November 1, 2015. All the payments due from November 1, 2015, through and including April 1, 2016, are subject to a 30-day "drop dead" provision. If the Debtor fails to make a plan payment or cure payment on the due date, or within 30 days thereafter, the case may be dismissed without further notice.
5. The Court agrees that this proposal is reasonable and fair to all parties involved.

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6. Counsel for the Debtor is entitled to additional compensation in the amount of \$250.00 pursuant to Local Rule 2016-1.

It is, therefore, ORDERED, ADJUDGED, and DECREED:

1. The Chapter 13 Trustee's Motion to Dismiss is denied;
2. The Debtor shall resume her regular monthly plan payments at \$1,083.00 per month on November 1, 2015, and, in addition, the Debtor shall make cure payments in the amount of \$404.00 per month for six months, beginning on November 1, 2015;
3. If the Debtor fails to make any regular or cure payment from November 1, 2015, through and including April 1, 2016, within 30 days of the due date, then this case may be dismissed without further notice or hearing; and
4. Counsel for the Debtor is awarded an additional attorney fee in the sum of \$250.00. The fee is to be paid inside the Chapter 13 Plan as an administrative expense. The Trustee may extend the Debtor's Chapter 13 Plan if necessary to satisfy this administrative expense.

CONSENTED TO:

/s/ David F. Mills
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/s/ John F. Logan
John F. Logan, State Bar No. 12473
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